## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Weers et al. Group Art Unit: 1617

Application No: 10/751,342 Examiner: Carter, Kendra D

Confirmation No: 7605

Attorney Docket No: 53311-US-CNT Filed: December 31, 2003

(NV.0190.00)

Title: AEROSOLIZABLE **PHARMACEUTICAL** February 22, 2010

FORMULATION FOR FUNGAL San Francisco, California

INFECTION THERAPY

## **RESPONSE TO NON-FINAL OFFICE ACTION**

VIA ELECTRONIC FILING

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Examiner:

This communication is being filed in response to the Office Action mailed on October 22, 2009 and is being filed within four months thereof with a request for a one-month extension of time.

## **Certificate of Transmission**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile transmitted to the U.S. Patent and Trademark Office at (571) 273-8300, or electronically submitted via EFS on the date shown below:

Melanie Hitchcock

Date: February 22, 2010